

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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DALE STEVENS,

Plaintiff,

vs.

CLARK A. McCLELLAN,

Defendant.

ORDER ADOPTING  
REPORT AND RECOMMENDATION

Case No. 2:06 CV 215 (TC)

CLARK A. McCLELLAN,

Counterclaim Plaintiff,

vs.

DALE STEVENS; ORDER OF THE WHITE  
LIGHT, a Utah corporation dba WESTERN  
ARBITRATION COUNCIL;  
WAMPANOAG NATION, TRIBE OF  
GRAYHEAD WOLF BAND, and  
unincorporated association-in-fact; and  
JOHN DOES, to be named later,

Counterclaim Defendants.

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This court referred this case to Magistrate Judge Paul M. Warner pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). (Docket No. 71.) On February 6, 2009, Judge Warner recommended in a very thorough Report and Recommendation that (1) the court grant Defendant

Clark A. McClellan's Motion for Attorney's Fees; (2) the court award fees in the amount of \$7,314.50; and (3) that Counterclaim Defendants Dale Stevens, the Order of the White Light dba Western Arbitration Council, and the Wampanoag Nation, Tribe of Grayhead Wolf Band be held jointly and severally liable for that award consistent with the judgment previously entered in the case. (Docket No. 72.)

The parties were given ten days to file objections to the Report and Recommendation and were cautioned that failure to file an objection would constitute waiver of objections upon subsequent review. No objections were filed.

After a de novo review of the Report and Recommendation, the court agrees that Judge Warner's conclusions are correct in all respects. The court hereby adopts the Report and Recommendation as the order of the court.

Mr. McClellan's Motion for Attorney's Fees is GRANTED. (Docket No. 69.) The court awards fees in the amount of \$7,314.50. Counterclaim Defendants are jointly and severally liable for the award consistent with the judgment previously entered in the case.

SO ORDERED this 13th day of March 2009.

BY THE COURT:



TENA CAMPBELL  
Chief Judge